

Land Use

Loss of cinema and new theatre - Policy C3 – Cultural and Leisure facilities

- Existing facility (Odeon cinema) would be lost, so policy C3 is relevant, and it must be demonstrated that there is no longer a demand. The policy sets out what the Council will consider in our assessment, including the capability of the premises to support alternative culture and leisure facilities; size, layout and design of the existing facility; mix of uses in the area; impact on the range of cultural/leisure facilities in the area.
- The value of the existing cinema is recognised and Policy C3 will need to be addressed to justify the loss of the existing cinema, but overall, officers are supportive of the reinstatement of a large theatre – the original use of the listed building - and note the local community support for such a use. This is an appropriate location for a new theatre of such a size within the West End.
- The early engagement with theatre operators in the design and layout of the theatre is welcomed, and officers would encourage a meeting with the applicant's design team, theatre operator once finalised and the Theatres Trust to ensure a viable and successful theatre.

New hotel - Policy E3 – Tourism

- New large-scale tourism development and visitor accommodation is expected to be located in Central London, particularly the growth areas of King's Cross, Euston, Tottenham Court Road and Holborn and meet the requirements set out in policy E3.
- There is no in-principle objection to the provision of a new large-scale hotel in this area; however, the hotel is provided within a significant roof extension to the listed building which officers are not supportive of (discussed below).

Mixed use policy and residential use – policy H2

- Whilst applicants are always encouraged to explore all opportunities to provide residential floorspace within development schemes of all sizes; it is acknowledged that officers accepted as part of their assessment of the previous scheme at the site that the introduction of residential floorspace would not make for the most practical use of the site, with potentially harmful impacts on the heritage significance of the building. Reinstating the building for its original purposes as a theatre would be a significant heritage gain and more sympathetic and appropriate for the listed building than residential use.

Conservation and Design

- Sections 16 and 72 of the LBCA Act, NPPF, Policies D1 and D2.
- The refurbishment of the building to provide a new theatre within the original building envelope is welcomed.
- Detailed drawings and a heritage assessment have not yet been provided showing the extent of demolition or the significance and extent of remaining historic fabric. These are requested so that a full assessment can be made.
- One of the most significant elements of the building is the external façade – the building's strong rectangular form, detail and interest from the brick banding, corbels and decorative frieze by Bayes. Any scheme is expected to involve the sympathetic refurbishment of the external elevations.

- Significant concerns have been raised regarding the scale and height of the proposed extension which would not be supported at application stage and is likely to raise strong objections from local residents, community groups and members. The extension completely overwhelms and over-dominates the historic building and officers do not agree that such significant height is justified because the building historically was taller than its neighbours. Greater townscape and contextual analysis should be conducted, as well as more consideration of what extension is appropriate on the building itself.
- Officers do not consider an extension of more than 2/part 3 storeys could be provided without causing significant harm.
- This is a principal issue which must be addressed before wider discussions about the development of the site can be progressed. The Council will always seek to work proactively with applicant's and take a collaborative approach; however, officers do not consider the current proposals to be realistic. The Council's position is set out clearly by the previous appeal, and the issues and policies remain the same. More detailed consideration should be given to the appeal decision.

Neighbouring Amenity

- Policies A1 and A4.
- Concerns over the impact on neighbouring daylight arising from the proposed extension. Overshadowing diagrams were shown during our previous meeting, but a full D/S report including the original data is required for proper assessment.
- Consideration must be given to window positioning/external treatment, to mitigate potential overlooking of nearby residential windows.
- Noise disturbance arising from the new theatre use or any ancillary hotel functions would need to be carefully mitigated.
- Noise impact assessment would be required for any new plant.
- It is not clear if any roof terraces are proposed, but consideration would be expected to be given to hours of use/controls, to ensure they did not result in disturbance to neighbours. Significant concerns were previously raised by residents from such uses as the rear of the site becomes an echo chamber.

Basement

- There was no objection to the excavation of an additional basement level as part of the previous application. Basement Impact Assessment would be required at full application stage – see policy A5 and CPG basements for full details of required information.
- Thames water assets are within the zone of influence and would require further consultation. Likewise, proximity to Crossrail tunnel.

Transport

- Policies T1, T2, T3, T4.
- Early engagement between transport consultants and the Council's Transport officers is advised due to the local road conditions and difficulty with servicing.
- Main considerations:
 - o Trip generation
 - o Travel planning
 - o Cycle parking

- Car / coach free
- Highway works
- Pedestrian, cycling and public realm environmental improvements
- Deliveries and servicing
- Construction management
- Approval in principle for basement works adjacent to public highway.

Energy & Sustainability

- Policies CC1 and CC2.
- CPG Energy Efficiency should be followed and Energy and Sustainability Proforma should be completed and submitted with the application.

Flood Risk and Drainage

- Policy CC3.

Policy Requirement:

- Submit an FRA if >1ha
- Developments in areas known to be at risk of surface water flooding are designed to resist flooding and to cope with being flooded.
- Major developments to achieve greenfield run-off rates wherever feasible.
- NPPF requires all major developments to include SuDS unless demonstrated to be inappropriate (as set out in the Ministerial Statement by the Secretary of State on 18 December 2014).
- Development should follow the drainage hierarchy in policy SI 13 of the new London Plan below:
 1. rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
 2. rainwater infiltration to ground at or close to source
 3. rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
 4. rainwater discharge direct to a watercourse (unless not appropriate)
 5. controlled rainwater discharge to a surface water sewer or drain
 6. controlled rainwater discharge to a combined sewer

Best practice guidance recommended within the non-statutory technical standards:

- Constrain run-off volumes to greenfield run off volumes for the 1 in 100 year 6 hour event.

Information required with submission:

- SuDS and Floods Proforma
- Surface water drainage statement
- Completed drainage Camden-GLA SuDS proforma
- Drawings showing details of SuDS extent and position (including outfalls and control points)
- Microdrainage run-off (rates and volumes) calculations
- SuDS lifetime maintenance plan (site specific)
- Details of flow routes for exceedance events
- Evidence of site surveys and investigations relating to drainage

- Management of H&S risks related to SuDS design
- Evidence of capacity confirmation from Thames Water (or initial correspondence)

Nature Conservation and Biodiversity

- Policy A3.
- Concerns are raised over the potential biodiversity and ecological impact on Phoenix Gardens. Full ecological assessment would be required.
- Biodiversity net gain expected.

Air Quality

- Policy CC4.
- Please refer to the CPG Air Quality
- Please complete the Air Quality Proforma

Safety and Security

- Early engagement with the Metropolitan Police 'Designing out Crime' Officer is recommended given the existing anti-social behaviour issues to the rear of the site.

Refuse and Recycling

- Policy CC5 and CPG Design – appropriate storage for waste and recyclables to be provided.

Employment and Training opportunities

- The Council's Economic Development Team would seek to secure employment and skills-related opportunities that the scheme could generate through the hotel and theatre uses.

Fire safety

- Policy D12 of the London Plan – Fire safety to be considered from the outset for all developments.